IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.6242 OF 2005

Shri. Kiran M Gajare ...Applicant
Vs.
The State of Maharashtra ...Respondent

Shri. Milind Desai i/by D.S.Paikrao for the Applicant.
Ms M.H. Mhatre, A.P.P. for the Respondent.

CORAM : A. S. OKA, J.
DATE : SEPTEMBER 28, 2005.

P.C.:

1. Heard the Advocate appearing for the Applicant and the learned A.P.P. for the State. An offence has been registered under sections 3, 7 and 8 of the Essential Commodities Act. The Applicant has placed reliance on the order granting Anticipatory Bail passed by the Additional Sessions Judge on Application made by one Mahavir Jain. He submitted that the role ascribed to the present Applicant is not different from the said Mahavir Jain. The learned A.P.P. while opposing the Application stated that if this Court is inclined to protect the Applicant, an order may be passed directing that seventy-two hours notice be given to the Applicant. She submitted that if material becomes available against the Applicant during the investigation, the Applicant may be required to be arrested.

2. In view of the submission made by the learned

A.P.P., the Application is disposed of by directing that in case Respondent desires to arrest the Applicant in connection with the said offence bearing LAC No.332 of 2005, seventy-two hours prior notice will be given to the Applicant.

3. It is obvious that if such notice is given, the Applicant will be entitled to apply for Anticipatory Bail in accordance with law.

4. Application is disposed of accordingly.

5. Parties to act upon an authenticated copy of this order.

JUDGE